

November 14, 2001

Michael Fowle
Environmental Specialist
Air Operating Permits Section
7900 Hickman Road, Suite 1
Urbandale, Iowa 50322

RE: Part 70 Operating Permit Significant Modification for
Amoco Oil - Cedar Rapids Terminal, North Liberty, Iowa

Dear Mr. Fowler:

EPA Region 7 has reviewed the proposed Title V operating permit modification for the subject facility, which we received on October 3, 2001, with your cover letter dated October 2, 2001 requesting our comments by November 24, 2001.

Our comments are discussed in detail in the enclosed document. The Region is not objecting to the approval of the proposed permit modifications pursuant to our authority under Title 40 Code of Regulations (CFR) § 70.8(c). Our hope is that the proposed permit modifications and future permits will benefit from these comments. If you have any questions on these comments, please do not hesitate to contact Harriett Jones by telephone at (913) 551-7730 or via email at jones.harriett@epa.gov.

Sincerely,

Don Toensing
Chief
Air Permitting and Compliance Branch

Enclosure

cc: Doug Campbell, Air Permits Chief, Iowa Department of Natural Resources (w encl)

APCO	APCO	APCO
JONES	BURNS	TOENSING
11/13/01	11/13/01	11/14/01

ARTD/APCO: HJONES: ksmith/7466: 11/13/01: DISK15-Jones-Comment letter to IDNR on proposed modifications to Amoco Oil Cedar Rapids Terminal Title V permit.wpd

EPA Region 7 Comments on Proposed Title V Permit Modifications for
Amoco Oil - Cedar Rapids Terminal, North Liberty, Iowa

1. The public notice information should clearly indicate what changes are being made to the permit by the modification. This can be accomplished narratively, or by either highlighting (or using boldface fonts) to identify the changes to the permit, or by including a copy of the initial permit with the review materials. It is important to know which parts of the permit are being modified if the intent is these are the only portions of the permit on which comments are being solicited. Otherwise, the entire permit is opened up for comment.

It is not possible to determine from the permit record (the public notice, fact sheet/statement of basis, draft revised permit) what changes are being made to this permit which was originally issued November 30, 1999. The cover letter states only that the modifications are the result of the addition of a NSPS affected unit, but does not specify which unit is being added.

2. Neither the draft revised permit, the public notice, nor the Fact Sheet include any information regarding the dates on which the various emission units were constructed and/or put into service. Without this information, it is not possible to determine or verify the applicability of various requirements, such as 40 CFR Part 60 Subpart Kb.

We recommend that the Fact Sheet include a brief statement regarding the date on which the facility was constructed and began operations, and any dates on which significant changes were made. In addition, we recommend that the Emission Units List in Section I of the permit be revised to include a column headed "Date Installed/Put into Service" so that applicability issues are clear.

3. With regard to the applicability of 40 CFR Part 60 Subpart Kb, the draft permit lists this New Source Review Standard (NSPS) as being only applicable to the 24,500 gallon ethanol tank (Tank #7). If construction commenced on this tank after July 23, 1984, then this is correct. Please provide the construction commencement date for this tank.

Subpart Kb would also apply to Tanks # 1, 2, 3, 4 (gasoline storage tanks) and Tank # 6 (ethanol storage), all of which have individual capacities of greater than 10,000 gallons, if construction commenced on any of these tanks prior to July 23, 1984. Please provide the construction commencement date for these tanks, or include a statement in the Fact Sheet/Statement of Basis explaining that they are not subject to this subpart because they were built prior to July 1984.

4. The plant-wide conditions limiting particulate matter emissions includes separate requirements for sources constructed, modified or reconstructed prior to and after July 21, 1999. First, without the dates described in comment No. 2 above, it is not possible to

determine the applicability of these requirements. In addition, this requirement is not currently in the SIP and, therefore, must be labeled as “State Enforceable Only” in the permit. The current requirements in the SIP must also be referenced as federally enforceable.

Current SIP language: 23.2(2)a. *Process weight rate.* The emission of particulate matter from any process shall not exceed the amount determined from Table I, except as provided in 567 — 21.2(455B), 23.1(455B), 23.4(455B) and 567 — Chapter 24. If the director determines that a process complying with the emission rates specified in Table I is causing or will cause air pollution in a specific area of the state, an emission standard of 0.1 grain per standard cubic foot of exhaust gas may be imposed.

Current Iowa Administrative Code language: 23.3(2)a. *Process weight rate.* (1) For sources constructed, modified or reconstructed on or after July 21, 1999, the emission of particulate matter from any process shall not exceed an emission standard of 0.1 grain per dry standard cubic foot (dscf) of exhaust gas, except as provided in 567 — 21.2(455B), 23.1(455B), 23.4(455B), and 567 — Chapter 24. (2) For sources constructed, modified or reconstructed prior to July 21, 1999, the emission of particulate matter from any process shall not exceed the amount determined from Table I, or amount specified in a permit if based on an emission standard of 0.1 grain per standard cubic foot of exhaust gas, or established from standards provided in 23.1(455B) and 23.4(455B).

It is our recommendation that language be included in the permit to sunset the current SIP requirement and make the Iowa requirement federally enforceable when the SIP change is approved.

5. The permit specifies only facility wide limits on emissions of particulate matter (and the indicator parameter opacity) and sulfur dioxide. However, no periodic monitoring is specified to verify compliance. If none is considered necessary, the Statement of Basis/Fact Sheet must include an explanation of why none is warranted. For particulate matter/opacity/fugitive dust, we recommend at a minimum maintaining a log of periodic (e.g., daily or weekly) checks for visible emissions.

Section 504 of the Clean Air Act requires that each Title V permit include “conditions as are necessary to assure compliance” with applicable requirements and permit conditions. In addition, Section 114(a) of the Act requires “enhanced monitoring” at major stationary sources, and authorizes EPA to establish periodic monitoring, recordkeeping, and reporting requirements at such sources. The regulations at 40 CFR § 70.6(a)(3) specifically require that each permit contain “periodic monitoring sufficient to yield reliable data from the relevant time period that are representative of the source’s compliance with the permit” where the applicable requirement does not require periodic testing or instrumental or non-instrumental monitoring (which may consist of recordkeeping designed to serve as monitoring).”

The rationale for the selected monitoring must be clear and documented in the permit record. This is incorporated in the requirement at 40 CFR § 70.7(a)(5) that the permitting authority “shall provide a statement that sets forth the legal and factual basis for the draft

permit conditions.” The Fact Sheet/Statement of Basis for this draft permit modification does not provide the rationale for any of the monitoring selected; nor is any justification provided where no monitoring is required.

For addition information please refer to the December 22, 2000, *U.S. EPA Order Denying in Part and Granting in Part Petition for Objection to Permit* regarding the Fort James Camas Mill permit, which is available at:

<http://www.epa.gov/region07/programs/artd/air/title5/petitiondb/petitiondb1999.htm>

which describes the basis for EPA’s decision to object to the permit in part because the rationale for the periodic monitoring was not clearly stated in the permit record, and in part because the periodic monitoring specified in the permit was inadequate to assure compliance.